

# Naples City Council

## July 14, 2016

### Minutes

The regularly scheduled meeting of the Naples City Council was held July 14, 2016, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

#### *DATE, TIME & PLACE OF MEETING*

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

#### *COUNCIL MEMBERS ATTENDING*

Others attending were Trace Thacker, Kenyon Currie, Jim Harper, Keaton Hatch, Grant Hatch, Brian Timothy, Joe & Beth Carroll, Connie Patton, Mark Watkins, Joshua Bake, and Nikki Kay.

#### *OTHERS ATTENDING*

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

#### *OPENING CEREMONY*

Mayor Baker presented the agenda for approval. Councilman Olsen said he had one item to add under number eleven. Robert Hall **moved** to approve the agenda with that change. Dennis Long **seconded** the motion. The motion passed with all those in attendance voting aye.

#### *AGENDA APPROVED*

Mayor Baker presented the minutes of the June 23 2016-regular city council meeting for approval. Dennis Long **moved** to approve the minutes as presented. Kenneth Reynolds **seconded** the motion. Councilman Olsen abstained. The motion passed with all in attendance voting aye.

#### *MINUTES APPROVED*

Mayor Baker asked if anyone had something they wanted to follow up on from the previous meeting. Councilman Reynolds asked about the golf course corner. Jim Harper stated he has been in touch with Larry Allred and they are planning to redo the asphalt in August.

#### *FOLLOW UP ITEMS FROM PREVIOUS MEETING*

Joshua Bake wanted the Council to know someone from the County picked up two demolition permits for the houses on 2500 South and believed those would be coming down soon.

Connie Patton presented the bills in the amount of \$58,885.25. Councilman Long asked about the payment to Spillman. Nikki Kay said it was the annual support payment. Dan Olsen **moved** to approve payment of the bills. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

|                  |     |
|------------------|-----|
| Gordon Kitchen   | Aye |
| Kenneth Reynolds | Aye |
| Dennis Long      | Aye |
| Dan Olsen        | Aye |
| Robert Hall      | Aye |

#### ***APPROVAL OF THE BILLS***

A public hearing was scheduled for a conditional use permit for Classy Brass Reloading located at 1611 South 1500 East. Kenneth Reynolds **moved** to go into a public hearing. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

#### ***PUBLIC HEARING FOR CONDITIONAL USE PERMIT***

Joshua Bake showed those in attendance the location of Classy Brass and pointed out it is in the middle of the industrial zone. He stated the owners of Classy Brass would like to expand and build an indoor shooting range and they have applied for a conditional use. Joshua said this is a permitted use in the zone and when it was presented to the Planning Commission they had no problem with it. Joshua gave the staff recommendations for the conditional use permit and said those were determined by what others have done and based on the appeals process. Joshua went on to read the conditions which included; a range safety officer, submit standard operating procedures to the police chief, federal and state shooting range requirements are met, lead policy clean up, operating hours, security of building, and minors to be accompanied by a parent or guardian. Joshua gave his recommendation to approve the permit.

Joe and Beth Carroll addressed the Council and said that noise was a concern for the Planning Commission when they presented this. Ms. Carroll stated they did have a sound clip they were willing to share if the Council wanted. She said they have the insurance needed for the business and they have a rule and liability waiver. Ms. Carroll said they have been approached by people who conduct the concealed weapons permit classes and also those who teach hunter safety about doing a beginner course in firearms safety, doing those classes that would give a hands on approach on

how to handle a gun. Councilman Long wanted to know how long the lanes would be and if steel casing would be allowed. Mr. Carroll said there will be seven - twelve yard lanes and there will be no armor piercing ammo allowed. Mayor Baker wanted to know if the Carroll's were okay with the conditions of the permit. Mr. Carroll stated they were. He said the range is all enclosed 360°. Mayor Baker opened the meeting up for public comment. Trace Thacker said he has visited with the owners and felt they had some good ideas about providing competition shooting during the winter months and thought this would be a good winter activity that would bring people together and an opportunity to teach young people new things. With no other comment from the public, Robert Hall **moved** to go out of the public hearing. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Councilman Reynolds asked if the owners would provide a copy of the annual certificate of insurance to the City. Ms. Carroll asked if that was standard procedure. Councilman Reynolds said they've never had something like this before so he didn't know if it was. He didn't feel the request was out of line. Mr. Timothy stated it would not be a problem to provide a copy, he said Mr. & Mrs. Carroll have the insurance so he could provide that copy. Gordon Kitchen **moved** to approve the conditional use permit with the staff recommendations and to include the certificate of insurance to be on file. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Ms. Carroll asked Councilman Reynolds why he wanted a copy of the insurance, she wondered if it made him feel more secure; she said she didn't have a problem providing it she just wanted to know why he wanted it. Councilman Reynolds stated he just wanted to make sure they were watching out for the safety of the citizens and making sure that coverage is in place.

A business license application was received from **Basin Iron** located at 1284 E 2600 S. Joshua said the business is located in the C-1 zone and this is a permitted use in a C-1 zone. Joshua said Dale Peterson has inspected it and gave a staff recommendation for a sight obscuring 6' fence for all outside storage. Joshua said that is a standard condition for a C-1 zone so it's not a condition but a requirement. Joshua said they are recommending approval of the license. Councilman

***BUSINESS LICENSE  
APPROVAL***

Long wanted to know if the owner is committed to the fence. Mr. Thacker said they have talked about it. He said everyone around them has outside storage contained in chain link fences and he just wanted to know if that was a requirement for them because they are just moving in. Mayor Baker said they are changing the use of the building so that is why the requirement. Joshua said this would be a requirement for anyone new moving into that building and said the fence only applies to outside storage. Joshua said it needs to be any sight obscuring fence. Mayor Baker wanted to know about slats in a chain link. Joshua said they might need to look at the definition of that. Mr. Thacker said they have bought the building and they are trying to make a go of it with the money they have and don't really have another \$10,000 for a fence. Mayor Baker asked if the building currently has a chainlink fence. Mr. Thacker said it does; he said it is just like Halliburton's fence. Joshua said they have recently changed the ordinance regarding fences and felt the chain link with the privacy slats would be okay. Councilman Kitchen said they might want to do some clarification of the ordinance to make sure the privacy slats are acceptable. Councilman Kitchen said they have to comply with the ordinance. Joshua said they have legislative intent in the ordinance and would allow for approval of this license. He said they might need to clear up a bit of the language in the ordinance. Dennis Long **moved** to approve the business license for Basin Iron with the exiting chain link fence and privacy slats. Robert Hall **seconded** the motion. The motion passed with a majority vote. Councilman Reynolds voted nay.

Joshua Bake presented two policy changes that were discussed during the budget. Joshua stated current policy says all training and travel outside of the City needs Council approval. He said the recommended change would allow for all budgeted travel and training to be managed and approved by the department head and the city manager. Joshua said he would like to leave in the policy that all out of state travel still be approved by Council. Chief Watkins pointed out that out of state prisoner transports might need to be an exception because they sometimes need to happen within a day or two. Councilman Kitchen said they might want to add an exception while they are discussing these changes so it doesn't require someone coming back to the next council meeting for approval. Chief Watkins said they also have follow up investigations that require out of state travel. Joshua said they could add a sentence or two to allow

***CITY POLICY CHANGES  
FOR TRAVEL AND  
TRAINING AND  
PROCUREMENT***

for exigent circumstances. Mayor Baker wanted to know if they wanted to approve this with the recommended changes or to have Josh make the changes and bring this back. Council members discussed if there was a difference between the travel required for the police department to carry out their job and the travel associated with training. Councilman Kitchen said they could make sure this change applies to travel associated with training. Dennis Long **moved** to approve the policy change for travel associated with training. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Joshua Bake also presented a change for procurement, in order not to delay certain purchases, from \$500 to \$5,000 to be approved by the City Manager. He said this would only be items that are in the budget. He said payment approval of all expenditures will still come before the Council. Chief Watkins wanted to know if there was a minimum approval amount listed. Joshua said he will add something like that. Dennis Long **moved** to approve the policy change for expenditures. Dan Olsen **seconded** the motion. The motion passed as follows:

|                  |     |
|------------------|-----|
| Robert Hall      | Aye |
| Dan Olsen        | Aye |
| Dennis Long      | Aye |
| Kenneth Reynolds | Aye |
| Gordon Kitchen   | Aye |

Jim Harper came before the Council to request approval to sand blast certain curbs along the highway that are not being used. Mayor Baker said he believed that UDOT said the City has over painted. Jim said UDOT is not a fan of the painted curbs but he said there are advantages. He said they are easily seen. Jim said they will only be doing the ones that don't affect the no parking zones. He said they will mainly be cutting back on the painted corners and the ones near the fire hydrants. He said they will just be cutting back on some sections. Councilman Olsen wanted to know if some of the reason was because they paint is peeling. Jim said that was part of the reason. Councilman Kitchen wanted to know what the study involved. Jim said they looked at how long the paint was lasting and if people were parking in the painted zones. Councilman Kitchen wanted to know what happens if they are parking in the painted zone. Jim said that means they can't remove it and it has to be there so they can enforce it. He said they are just removing where

***A P P R O V E     S A N D  
BLASTING OF CURBS***

they are not parking. Councilman Kitchen said they will just park there when the paint is removed. Jim said it's a long process and they can't just remove the paint. Councilman Kitchen wanted to know why they have to remove it. He said because it's flaking off. Mayor Baker wanted to know if they can't just let it flake off. Jim said they can't. Councilman Hall wanted to know if this was a project that was going to take away from the other projects they have going on because they will have to come back and clean up the sand. Jim thought it wouldn't take that long. Councilman Long wanted to know if it was in the budget. Jim said they do have the money. Kenneth Reynolds stated if it's in the budget he would **move** to approve the expenditure. Dennis Long **seconded** the motion. The motion passed with the following vote:

|                  |     |
|------------------|-----|
| Gordon Kitchen   | Aye |
| Kenneth Reynolds | Aye |
| Dennis Long      | Aye |
| Dan Olsen        | Aye |
| Robert Hall      | Aye |

Jim presented approval to reimburse the cost of the jake brake road signs to UDOT. Mayor Baker said they approved to have the signs put up so they are liable for the cost but he wanted to know if they can wait until the signs are installed to approve payment of them. Jim said they are waiting for a commitment from the City to install the signs. Mayor Baker wanted to know if the adoption of the ordinance wasn't the City's commitment. Mayor Baker wanted to know if the City could send a letter. Nikki thought UDOT usually sent something for the City to sign. Councilman Kitchen said there is no amount to approve and they are only looking for a commitment from the City. Gordon Kitchen **moved** to authorize a letter of commitment to reimburse UDOT for the cost of installation of the signs. Dan Olsen **seconded** the motion. The motion passed with all voting in the affirmative.

#### ***A P P R O V E REIMBURSEMENT FOR ROAD SIGNS***

Dan Olsen wanted to know if there was an extra flag the City has that could be placed on the flag pole down at the old fire station. He said there is a lighted flag pole and it would look better if there was a flag. Councilman Olsen asked Josh if he could find a good flag to put there.

#### ***OTHER MATTERS***

Councilman Kitchen asked about the letter the Council received from a citizen raising concerns about the setting off

of fireworks and wanted to know if it needed to be on a future agenda. Mayor Baker said most of what was in the letter was mandated by State Code. He said a reply letter referencing State Code and acknowledging their concern would be appropriate.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 8:40 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 11<sup>th</sup> DAY OF AUGUST 2016

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_